

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 17-1052

KENNETH B. ROSEMOND,

Plaintiff - Appellant,

v.

DANIEL C. RATTRAY, Department of Veterans Affairs, Office of the Regional
Counsel; KATHRYN SIMPSON, Chief Counsel, Office of the General Counsel,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at
Greenville. Henry M. Herlong, Jr., Senior District Judge. (6:16-cv-00762-HMH)

Submitted: May 23, 2017

Decided: May 25, 2017

Before KING, AGEE, and WYNN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Kenneth B. Rosemond, Appellant Pro Se. Christie Valerie Newman, Assistant United
States Attorney, Columbia, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kenneth B. Rosemond appeals the district court's order denying relief on his Federal Tort Claims Act complaint. The district court referred this case to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) (2012). The magistrate judge recommended that relief be denied and advised Rosemond that failure to file timely, specific objections to this recommendation could waive appellate review of a district court order based upon the recommendation. The district court, noting that Rosemond's objections were not specific, adopted the report of the magistrate judge and granted Defendants summary judgment.

The timely filing of specific objections to a magistrate judge's recommendation is necessary to preserve appellate review of the substance of that recommendation when the parties have been warned of the consequences of noncompliance. *Wright v. Collins*, 766 F.2d 841, 845-46 (4th Cir. 1985); *see also Thomas v. Arn*, 474 U.S. 140, 155 (1985). Rosemond has waived appellate review by failing to file specific objections after receiving proper notice. Accordingly, we affirm the judgment of the district court.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED